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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/499,922

02/08/2000

Stephen Ledsham

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08/04/2006

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

HSU, ALPUS

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/499,922

Applicant(s)

LED SHAM ET AL.

Examiner

Alpus H. Hsu

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-9 and 21 is/are allowed.
- 6) ☒ Claim(s) 1-5, 10-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/23/06</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2616

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114.

Applicant's submission filed on June 13, 2006 has been entered.

2. The indicated allowability of claims 1-5, 10-20 is withdrawn in view of the newly discovered reference(s) to LUPIEN et al. (cited by the applicant) in view of LARAQUI (of record). Rejections based on the newly cited reference(s) follow.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1, 4, 5, 10, 13-16, 19 and 20 are rejected under 35 U.S.C. 102(a) as being anticipated by LUPIEN et al. in Foreign Document WO 99/63774 (cited by the applicant), hereinafter referred to as LUPIEN.

Referring to claims 1, 4 and 5, LUPIEN discloses a system for providing management protocol mediation between networks, comprising: a first network (ANSI-41); a second network (GPRS), having an operations and maintenance center (OMC) (39) coupled thereto and operable to execute an application to manage the first network using a first management protocol, the OMC further operable to manage the second network using a second management protocol; and a protocol mediator (37) coupled to the first and second networks, the protocol mediator operable

Art Unit: 2616

to translate between the first network management protocol and the second management protocol.

Referring to claims 10, 13-15, LUPIEN discloses a management center (38) for providing management protocol mediation between networks, comprising: an operations and maintenance center (OMC) (39) operable to manage a first and second networks, the OMC further operable to manage the first network by executing an application using a first management protocol, and to manage the second network using a second management protocol; and a protocol mediator (37) coupled to the first and second networks, the protocol mediator operable to translate between the first network management protocol and the second management protocol.

Referring to claims 16, 19 and 20, LUPIEN discloses a method for providing management protocol mediation between networks comprising the steps of: executing at a first network an application in an operations and maintenance center (OMC) using a first management protocol; managing by the OMC, a second network using a second management protocol; and translating between the first network management protocol and the second management protocol (see page 28, line 24 to page 32, line 14).

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 3, 11, 12, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over LUPIEN in view of LARAQUI in U.S. Patent No. 6,466,583 B1 (of record), hereinafter referred to as LARAQUI.

Art Unit: 2616

Referring to claims 2, 3, 11, 12, 17 and 18, LUPIEN differs from the claims, in that, it does not disclose that the first and second management protocols comprise a SNMP and a CMIP management protocol, which are well known protocols and commonly used in wireless communication networking environment for specific network integration.

LARAQUI, for example, from the similar field of endeavor, teaches the integration of SNMP and CMIP network management protocols (see abstract), which can be easily adopted by one of ordinary skill in the art to implement into the system and method in LUPIEN for specific network integration to further improve the system flexibility and performance.

7. Claims 6-9 and 21 are allowed.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Menon et al. '784 & '268 are additionally cited to show the copending applications with the instant application by the same assignee.

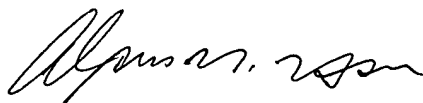
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alpus H. Hsu whose telephone number is (571)272-3146. The examiner can normally be reached on M-F (5:30-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571)272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AHH



Alpus H. Hsu
Primary Examiner
Art Unit 2616